

James H.M. Sprayregen, P.C.
Jonathan S. Henes, P.C.
KIRKLAND & ELLIS LLP
KIRKLAND & ELLIS INTERNATIONAL LLP
601 Lexington Avenue
New York, New York 10022
Telephone: (212) 446-4800
Facsimile: (212) 446-4900

- and -

Patrick J. Nash, Jr., P.C. (admitted *pro hac vice*)
Ryan Preston Dahl (admitted *pro hac vice*)
Bradley Thomas Giordano (admitted *pro hac vice*)
KIRKLAND & ELLIS LLP
KIRKLAND & ELLIS INTERNATIONAL LLP
300 North LaSalle Street
Chicago, Illinois 60654
Telephone: (312) 862-2000
Facsimile: (312) 862-2200

Counsel to the Debtors and Debtors in Possession

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re:)	
)	Chapter 11
)	
AVAYA INC., <i>et al.</i> , ¹)	Case No. 17-10089 (SMB)
)	
Debtors.)	(Jointly Administered)
)	

¹ The Debtors in these chapter 11 cases, along with the last four digits of each Debtor's federal tax identification number, include: Avaya Inc. (3430); Avaya CALA Inc. (9365); Avaya EMEA Ltd. (9361); Avaya Federal Solutions, Inc. (4392); Avaya Holdings Corp. (9726); Avaya Holdings LLC (6959); Avaya Holdings Two, LLC (3240); Avaya Integrated Cabinet Solutions Inc. (9449); Avaya Management Services Inc. (9358); Avaya Services Inc. (9687); Avaya World Services Inc. (9364); Octel Communications LLC (5700); Sierra Asia Pacific Inc. (9362); Sierra Communication International LLC (9828); Technology Corporation of America, Inc. (9022); Ubiquity Software Corporation (6232); VPNet Technologies, Inc. (1193); and Zang, Inc. (7229). The location of Debtor Avaya Inc.'s corporate headquarters and the Debtors' service address is: 4655 Great America Parkway, Santa Clara, CA 95054.

AMENDED² AGENDA FOR HEARING TO BE HELD
MAY 25, 2017, AT 10:00 A.M. (PREVAILING EASTERN TIME)

Time and Date of Hearing: May 25, 2017, at 10:00 a.m. (prevailing Eastern Time)

Location of Hearing: The Honorable Judge Stuart M. Bernstein
United States Bankruptcy Court for the Southern District of New York
Alexander Hamilton Custom House
One Bowling Green, Courtroom No. 723
New York, New York 10004

Copies of Motions: A copy of each pleading can be viewed on the Court's website at www.nysb.uscourts.gov and the website of the Debtors' proposed notice and claims agent, Prime Clerk LLC, at <https://cases.primeclerk.com/avaya>. Further information may be obtained by calling Prime Clerk toll free at 855-252-2156 or internationally at 917-651-0441.

I. Status Conference

1. ***Lift Stay Motion.*** Motion of Blackberry Limited and Blackberry Corporation Pursuant to 11 U.S.C. § 362(d) for Relief from the Automatic Stay [Docket No. 151].

Objection Deadline: February 24, 2017, at 4:00 p.m. (prevailing Eastern Time), which deadline was extended to April 18, 2017, at 4:00 p.m. (prevailing Eastern Time).

Responses Received:

- A. Debtors' Objection to the Motion by Blackberry Limited and Blackberry Corporation for Relief from the Automatic Stay [Docket No. 407].
- B. Qualified Joinder of the Ad Hoc First Lien Group to the Debtors Objection to the Motion by Blackberry Limited and Blackberry Corporation for Relief from the Automatic Stay [Docket No. 408].
- C. Joinder of the Official Committee of Unsecured Creditors to the Debtors' Objection to the Motion by Blackberry Limited and Blackberry Corporation for Relief from the Automatic Stay [Docket No. 425].
- D. Joinder and Reservation of Rights of the Ad Hoc Crossover Group to Debtors' Objection to Motion of Blackberry Limited and

² Amended items appear in **bold and underline**.

Blackberry Corporation for Relief from the Automatic Stay
[Docket No. 431].

Replies Filed:

- A. Omnibus Reply of Blackberry Limited and Blackberry Corporation to Objection to Motion Pursuant to 11 U.S.C. § 362(d) for Relief from the Automatic Stay [Docket No. 438].

Related Documents:

- A. Declaration of Victoria Maroulis in Support of the Motion of Blackberry Limited and Blackberry Corporation Pursuant to 11 U.S.C. Section 362(d) for Relief from the Automatic Stay [Docket No. 152].
- B. Notice of Adjournment of Hearing to Consider Motion of Blackberry Limited and Blackberry Corporation Pursuant to 11 U.S.C. § 362(d) for Relief from the Automatic Stay [Docket No. 167].
- C. Order Granting in Part the Motion of Blackberry Limited and Blackberry Corporation Pursuant to 11 U.S.C. § 362(D) for Relief from the Automatic Stay [Docket No. 479].

Status: This matter is going forward.

II. Uncontested Matters Going Forward

- 1. ***Omnibus Claims Objection Procedures.*** Debtors' Motion for Entry of an Order (I) Approving (A) Omnibus Claims Objection Procedures and (B) Omnibus Claims Satisfaction Procedures, (II) Authorizing the Debtors to File Substantive Omnibus Objections to Claims Pursuant to Bankruptcy Rule 3007(c), (d), and (III) Waiving the Requirement of Bankruptcy Rule 3007(e)(6) [Docket No. 579].

Objection Deadline: May 18, 2017, at 4:00 p.m. (prevailing Eastern Time).

Responses Received: None

Replies Filed: None

Related Documents:

- A. Certificate of No Objection Under 28 U.S.C. Section 1746 Debtors' Motion for Entry of an Order (I) Approving (A) Omnibus Claims Objection Procedures and (B) Omnibus Claims Satisfaction

Procedures, (II) Authorizing the Debtors to File Substantive Omnibus Objections to Claims Pursuant to Bankruptcy Rule 3007(c), (d), and (III) Waiving the Requirement of Bankruptcy Rule 3007(e)(6) [Docket No. 638].

Status: This matter is going forward for the purpose of presenting a proposed order.

2. ***Lift Stay Motion.*** Motion of CenturyTel Service Group, LLC for an Order Modifying the Automatic Stay Pursuant to 11 U.S.C. § 362(d) [Docket No. 516].

Objection Deadline: May 18, 2017, at 4:00 p.m. (prevailing Eastern Time).

Responses Received: None

Replies Filed: None

Related Documents:

- A. CenturyTel Service Group, LLC's *Ex Parte* Motion for an Order Pursuant to Section 107(b) of the Bankruptcy Code and Bankruptcy Rule 9018 Authorizing the Filing Under Seal of Certain Exhibits to Declaration of David Uhl in Support of Its Motion for an Order Modifying the Automatic Stay Pursuant to 11 U.S.C. § 362(d) [Docket No. 515].
- B. Declaration of David Uhl in Support of Motion of CenturyTel Service Group, LLC for an Order Modifying the Automatic Stay Pursuant to 11 U.S.C. § 362(d) [Docket No. 517].
- C. Notice of Hearing of CenturyTel Service Group, LLC for an Order Modifying the Automatic Stay Pursuant to 11 U.S.C. Section 362(d) [Docket No. 518].
- D. Notice of Withdrawal of (I) CenturyTel Service Group, LLC's *Ex Parte* Motion for an Order Pursuant to Section 107(b) of the Bankruptcy Code and Bankruptcy Rule 9018 Authorizing the Filing Under Seal of Certain Exhibits to Declaration of David Uhl in Support of Its Motion for an Order Modifying the Automatic Stay Pursuant to 11 U.S.C. § 362(d) and (II) Declaration of David Uhl in Support of Motion of CenturyTel Service Group, LLC for an Order Modifying the Automatic Stay Pursuant to 11 U.S.C. § 362(d) [Docket No. 620].
- E. Debtors' Statement of No Objection and Reservation of Rights in Connection with the Motion of CenturyTel Service Group, LLC

for an Order Modifying the Automatic Stay Pursuant to 11 U.S.C.
§ 362(d) [Docket No. 632].

Status: This matter is going forward.

III. Contested Matters

1. ***Sale Motion. Part II*** of Debtors' Motion Seeking Entry of (I) an Order (A) Approving Bidding Procedures in Connection with the Sale of the Debtors' Networking Business, (B) Approving the Form and Manner of Notice, (C) Scheduling an Auction and a Sale Hearing, (D) Approving Procedures for Determining Cure Amounts, and (E) Extending the Deadline to Assume or Reject the Billerica Lease, and (II) an Order Authorizing and Approving the Sale of the Debtors' Networking Business [Docket No. 223].

Objection Deadline: May 18, 2017, at 4:00 p.m. (prevailing Eastern Time).

Responses Received:

- A. Objection of Mentor Graphics Corporation to the Debtors' Motion for Entry of an Order (I) Establishing Procedures and Granting Related Relief and (II) Approving the Sale of Certain Assets Free and Clear of Liens, Claims Encumbrances, and Interests [Docket No. 468].³
- B. Limited Objection to Debtors' Sale Motion to Sell Free and Clear filed by Polycom, Inc. [Docket No. 592].⁴
- C. Limited Objection of Lite-On Technology Corporation to the Debtors' Proposed Assumption and Assignment of Certain Executory Contracts and Unexpired Leases [Docket No. 597].
- D. Oracle's Limited Objection and Reservation of Rights Regarding (1) Debtors' Motion Seeking Entry of (I) an Order (A) Approving Bidding Procedures in Connection with the Sale of the Debtors' Networking Business, (B) Approving the Form And Manner of Notice, (C) Scheduling an Auction and a Sale Hearing, (D) Approving Procedures for Determining Cure Amounts, and (E) Extending The Deadline to Assume or Reject the Billerica Lease, and (II) an Order Authorizing and Approving the Sale of the Debtors' Networking Business ("Sale Motion") and (2) Notice of

³ Resolved by [Docket No. 624].

⁴ Resolved by [Docket No. 633].

Filing of Revised Exhibit 1 to the Form of the Debtors' Networking Business ("Assumption Notice") [Docket No. 601].

- E. Reservation of Rights of Luxoft Global Operations GmbH in Connection with the Sale of the Debtors' Networking Business [Docket No. 602].
- F. AT&T's Reservation of Rights with Respect to the Order (I) Approving the Sale of the Debtors' Networking Business Free and Clear of all Claims, Liens, Rights, Interests and Encumbrances; (II) Authorizing the Debtors to Enter into and Perform Their Obligations under the Asset Purchase Agreement; and (III) Assume and Assign Certain Executory Contracts and Unexpired Leases [Docket No. 605].
- G. Objection of CSI Leasing Inc. to the Debtors' Notice of Proposed Assumption and Assignment of Certain Executory Contracts and Unexpired Leases [Docket No. 608].
- H. Limited Objection and Reservation of Rights with Respect to Notice of Proposed Assumption and Assignment of Certain Executory Contracts and Unexpired Leases [Docket No. 611].
- I. Limited Objection to Proposed Assumption and Assignment of Contract Contemplated by Motion Seeking Entry of (I) an Order (A) Approving Bidding Procedures in Connection With the Sale of the Debtors' Networking Business, (B) Approving the Form and Manner of Notice, (C) Scheduling an Auction and a Sale Hearing, (D) Approving Procedures for Determining Cure Amounts, and (E) Extending the Deadline to Assume or Reject the Billerica Lease, and (II) an Order Authorizing and Approving the Sale of the Debtors' Networking Business [Docket No. 613].
- J. Limited Objection of Red Rock Telecommunications, LLC to the Debtors' Motion for Entry of an Order (I) Establishing Bidding Procedures and Granting Related Relief and (II) Approving the Sale of Certain Assets Free and Clear of Liens, Claims Encumbrances, and Interests [Docket No. 618].
- K. Charter Communications Holding Company, Inc.'s Limited Objection and Reservation of Rights with Regard to the Assumption and Assignment of "Mixed Use" Contract in Connection with Sale of Networking Business [Docket No. 619].
- L. Notice of Withdrawal of Objection of Mentor Graphics Corporation to the Debtors' Motion for Entry of an Order (I) Establishing Procedures and Granting Related Relief and

(II) Approving the Sale of Certain Assets Free and Clear of Liens, Claims Encumbrances, and Interests [Docket No. 624].

M. Notice of Withdrawal of Limited Objection to Debtors' Sale Motion to Sell Free and Clear (Polycom, Inc.) [Docket No. 633].

Replies Filed: None

Related Documents:

- A. Asset Purchase Agreement between Avaya Inc. and Extreme Networks, Inc., dated as of March 7, 2017 [Docket No. 223, Ex. B].
- B. Declaration of John Bosacco in Support of the Debtors' Motion Seeking Entry of (I) an Order (A) Approving Bidding Procedures in Connection with the Sale of the Debtors' Networking Business, (B) Approving the Form and Manner of Notice, (C) Scheduling an Auction and a Sale Hearing, (D) Approving Procedures for Determining Cure Amounts, and (E) Extending the Deadline to Assume or Reject the Billerica Lease, and (II) an Order Authorizing and Approving the Sale of the Debtors' Networking Business [Docket No. 223, Ex. D].
- C. Order (A) Approving Bidding Procedures and Bid Protections in Connection with the Sale of the Debtors' Networking Business, (B) Approving the Stalking Horse Asset Purchase Agreement, (C) Approving the Form and Manner of Notice, (D) Scheduling an Auction and a Sale Hearing, (E) Approving Procedures for Determining Cure Amounts, and (F) Extending the Assumption/Rejection Deadline for the Billerica Lease [Docket No. 356].
- D. Notice of Filing of Amendment No. 1 to the Stalking Horse Asset Purchase Agreement for the Sale of the Debtors' Networking Business [Docket No. 357].
- E. Notice of Filing of Revised Exhibit 1 to the Form of the Contract Assumption Notice for the Sale of the Debtors' Networking Business [Docket No. 467].
- F. Notice of Cancellation of Auction for the Sale of the Debtors' Networking Business [Docket No. 625].

Status: This matter is going forward.

2. ***Exclusivity Extension Motion.*** Debtors' Motion Seeking Entry of an Order (I) Extending the Debtors' Exclusive Periods to File a Chapter 11

Plan and Solicit Acceptances Thereof Pursuant to Section 1121 of the Bankruptcy Code and (II) Granting Related Relief [Docket No. 374] (the “Exclusivity Motion”).

Objection Deadline: April 18, 2017, at 4:00 p.m. (prevailing Eastern Time), which deadline has been extended to May 18 and 19, 2017, at 4:00 p.m. (prevailing Eastern Time) for certain parties in interest.

Responses Received:

- A. Objection of the Ad Hoc First Lien Group to Debtors’ Motion Seeking Entry of an Order (I) Extending the Debtors Exclusive Periods to File a Chapter 11 Plan and Solicit Acceptances Thereof Pursuant to Section 1121 of the Bankruptcy Code and (II) Granting Related Relief [Docket No. 587].

Replies Filed: None.⁵

Related Documents:

- A. Notice of Adjournment to May 16, 2017, at 10:00 a.m. (prevailing Eastern Time) of Hearing on Debtors’ Motion Seeking Entry of an Order (I) Extending the Debtors’ Exclusive Periods to File a Chapter 11 Plan and Solicit Acceptances Thereof Pursuant to Section 1121 of the Bankruptcy Code and (II) Granting Related Relief [Docket No. 411].
- B. Notice of Adjournment to May 25, 2017 at 10:00 a.m. (prevailing Eastern Time) of Hearing on Debtors’ Motion Seeking Entry of an Order (I) Extending the Debtors’ Exclusive Periods to File a Chapter 11 Plan and Solicit Acceptances Thereof Pursuant to Section 1121 of the Bankruptcy Code and (II) Granting Related Relief [Docket No. 570].
- C. Memorandum Endorsed Order Signed On 5/18/2017. Re: Granting Extension [Docket No. 615].
- D. Notice of Filing of Amended Order (I) Extending the Debtors’ Exclusive Periods to File a Chapter 11 Plan and Solicit Acceptances Thereof Pursuant to Section 1121 of the Bankruptcy Code and (II) Granting Related Relief [Docket No. 623].

⁵ The Debtors intend to file a reply in further support of the relief requested by the Exclusivity Motion, as modified by their revised form of order filed at [Docket No. 623], by 12:00 p.m. (prevailing Eastern Time) on May 24, 2017, to the extent this matter is not consensually resolved by such time.

- E. Statement of the Official Committee of Unsecured Creditors in Support of the Debtors' Motion Seeking Entry of an Order (I) Extending the Debtors' Exclusive Periods to File a Chapter 11 Plan and Solicit Acceptances Thereof Pursuant to Section 1121 of the Bankruptcy Code and (II) Granting Related Relief [Docket No. 629].

Status: This matter is going forward.

3. ***1114 Motion.*** Marlene Clark's Motion for Order Determining Survivorship Benefits under Supplemental Plan are "Retiree Benefits" under Bankruptcy Code Section 1114(a), Compelling Compliance with Section 1114(e), and Appoint an Official Committee under Section 1114(d) [Docket No. 522].

Objection Deadline: May 18, 2017, at 4:00 p.m. (prevailing Eastern Time).

Responses Received:

- A. Debtors' Objection to Marlene Clark's Motion for Order Compelling Compliance with U.S.C. § 1114(e) and Appointing an Official Committee under 11 U.S.C. § 1114(d) [Docket No. 609].
- B. Objection of the Ad Hoc First Lien Group to Marlene Clarks' Motion for Order Determining Survivorship Benefits under Supplemental Plan are "Retiree Benefits" under Bankruptcy Code Section 1114(a), Compelling Compliance with Section 1114(e), and Appointing an Official Committee under Section 1114(d) [Docket No. 612].
- C. Objection of the Ad Hoc Crossover Group to Marlene Clarks Motion for Order Determining Survivorship Benefits Under Supplemental Plan are Retiree Benefits Under Bankruptcy Code Section 1114(a), Compelling Compliance With Section 1114(e), and Appointing an Official Committee Under Section 1114(d) [Docket No. 614].
- D. Objection of the Official Committee of Unsecured Creditors to Marlene Clarks' Motion for Order Determining Survivorship Benefits under Supplemental Plan are "Retiree Benefits" under Bankruptcy Code Section 1114(a), Compelling Compliance with Section 1114(e), and Appointing an Official Committee under Section 1114(d) [Docket No. 616].

Replies Filed: Reply in Support of Marlene Clark's Motion for Order Determining Survivorship Benefits Under Supplemental Plan Are "Retiree Benefits" Under Bankruptcy Code Section 1114(A), Compelling

Compliance with Section 1114(E), and Appointing an Official Committee Under Section 1114(D) [Docket No. 635].

Related Documents: The Debtors intend to file a brief sur-reply in connection with this matter by 12:00 p.m. (prevailing Eastern Time) on May 24, 2017.

Status: This matter is going forward.

IV. Adjourned Matters

1. ***Lift Stay Motion.*** Network-1 Technologies, Inc.'s Motion for Relief from the Automatic Stay [Docket No. 204].

Objection Deadline: March 15, 2017, at 4:00 p.m. (prevailing Eastern Time), which deadline has been extended to May 18, 2017, at 4:00 p.m. (prevailing Eastern Time). The deadline was further extended to June 22, 2017.

Responses Received: None

Replies Filed: None

Related Documents:

- A. Declaration of Rick Lyon In Support of Network-1 Technologies, Inc.'s Motion for Relief from the Automatic Stay [Docket No. 205].
- B. Notice of Adjournment of Hearing of Network-1 Technologies, Inc.'s Motion for Relief from Automatic Stay [Docket No. 241].
- C. Notice of Adjournment of Hearing of Network-1 Technologies, Inc.'s Motion for Relief from Automatic Stay [Docket No. 397].
- D. Notice of Adjournment of Hearing to Consider Network-1 Technologies, Inc.'s Motion for Relief from Automatic Stay [Docket No. 595].

Status: This matter has been adjourned to June 29, 2017, at 10:00 a.m. (prevailing Eastern Time).

2. ***Disclosure Statement Motion.*** Debtors' Motion Seeking Entry of an Order Approving: (I) the Adequacy of Information in the Disclosure Statement; (II) Solicitation and Notice Procedures; (III) Forms of Ballots and Notices in Connection Therewith; and (IV) Certain Dates with Respect Thereto [Docket No. 390].

Objection Deadline: May 18, 2017, at 4:00 p.m. (prevailing Eastern Time). The objection deadline has been further extended to June 22, 2017, at 4:00 p.m. (prevailing Eastern Time).

Responses Received: None

Replies Filed: None

Related Documents:

- A. Disclosure Statement for the Joint Chapter 11 Plan of Reorganization of Avaya Inc. and Its Debtor Affiliates [Docket No. 388].
- B. Joint Chapter 11 Plan of Reorganization of Avaya Inc. and Its Debtor Affiliates [Docket No. 389].
- C. Notice of Disclosure Statement Hearing [Docket No. 392].
- D. Notice of Adjournment of the Disclosure Statement Hearing and Certain Other Matters to June 29, 2017 at 10:00 a.m. (prevailing Eastern Time) [Docket No. 599].

Status: This matter has been adjourned to June 29, 2017, at 10:00 a.m. (prevailing Eastern Time).

3. ***Scheduling Motion.*** Debtors' Motion for Entry of an Order (I) Scheduling Certain Hearing Dates and Deadlines, (II) Establishing Certain Protocols in Connection with the Confirmation of the Debtors' Plan of Reorganization, and (III) Granting Related Relief [Docket No. 391]

Objection Deadline: May 18, 2017, at 4:00 p.m. (prevailing Eastern Time). The objection deadline has been further extended to June 22, 2017, at 4:00 p.m. (prevailing Eastern Time).

Responses Received: None

Replies Filed: None

Related Documents:

- A. Disclosure Statement for the Joint Chapter 11 Plan of Reorganization of Avaya Inc. and Its Debtor Affiliates [Docket No. 388].
- B. Joint Chapter 11 Plan of Reorganization of Avaya Inc. and Its Debtor Affiliates [Docket No. 389].

- C. Notice of Amended Objection Deadline with Respect to Debtors' Motion for Entry of an Order (I) Scheduling Certain Hearing Dates and Deadlines, (II) Establishing Certain Protocols in Connection with the Confirmation of the Debtors' Plan of Reorganization, and (III) Granting Related Relief [Docket No. 414].
- D. Notice of Adjournment of the Disclosure Statement Hearing and Certain Other Matters to June 29, 2017 at 10:00 a.m. (prevailing Eastern Time) [Docket No. 599].

Status: This matter has been adjourned to June 29, 2017, at 10:00 a.m. (prevailing Eastern Time).

- 4. ***Lift Stay Motion.*** Request for Payment of Administrative Expense Claim on Behalf of CSC Covansys Corporation and Computer Sciences Corporation [Docket No. 495].

Objection Deadline: May 18, 2017, at 4:00 p.m. (prevailing Eastern Time). The objection deadline has been further extended to June 22, 2017, at 4:00 p.m.

Responses Received: None

Replies Filed: None

Related Documents:

- A. Notice of Hearing on Request for Payment of Administrative Expense Claim on Behalf of CSC Covansys Corporation and Computer Sciences Corporation [Docket No. 496].
- B. Notice of Adjournment to June 29, 2017 at 10:00 A.M. (Prevailing Eastern Time) of Hearing on Request for Payment of Administrative Claim on Behalf of CSC Covansys Corporation and Computer Sciences Corporation [Docket No. 586].

Status: This matter has been adjourned to June 29, 2017, at 10:00 a.m. (prevailing Eastern Time).

Dated: May 23, 2017
New York, New York

/s/ Jonathan S. Henes, P.C.

James H.M. Sprayregen, P.C.

Jonathan S. Henes, P.C.

KIRKLAND & ELLIS LLP

KIRKLAND & ELLIS INTERNATIONAL LLP

601 Lexington Avenue

New York, New York 10022

Telephone: (212) 446-4800

Facsimile: (212) 446-4900

- and -

Patrick J. Nash, Jr., P.C. (admitted *pro hac vice*)

Ryan Preston Dahl (admitted *pro hac vice*)

Bradley Thomas Giordano (admitted *pro hac vice*)

KIRKLAND & ELLIS LLP

KIRKLAND & ELLIS INTERNATIONAL LLP

300 North LaSalle Street

Chicago, Illinois 60654

Telephone: (312) 862-2000

Facsimile: (312) 862-2200

Counsel to the Debtors and Debtors in Possession